

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figures 1-5. These sheets, which include Figures 1-5, replace the original sheets including Figures 1-5.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

REMARKS

I. INTRODUCTION

Figures 1-5 have been amended. No new matter has been added. Thus, claims 1-11 remain pending in this application. It is respectfully submitted that based on the above amendments and the following remarks that all of the presently pending claims are in condition for allowance.

II. THE OBJECTIONS TO THE DRAWINGS SHOULD BE WITHDRAWN

The Examiner has objected to the Drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. (See 03/12/07 Office Action, p. 2). Applicants have added new drawing sheets featuring Figures 1-5 which include labels for the numbered blocks, the labels corresponding to the descriptive terms in the specification relating to each of the block numbers. The new drawing sheet finds support on pages 4-6 and 8-9 of the Specification, and is supported by originally filed claims 1-11. No new matter has been entered. Applicants respectfully submit that in light of the above amendments the Examiner's objection to the drawings be withdrawn.

III. THE 35 U.S.C. § 102(b) REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claims 1-2, 4-7, and 9-10 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,386,478 to Plunkett ("Plunkett"). (See 03/12/07 Office Action, p. 3).

The Examiner asserts that Plunkett teaches, "obtaining, in a processing unit (103), at least one location parameter representing the location of the audio-presenting device (101)," and "processing, in said processing unit (103), current audio content on the basis of the obtained at least one location parameter in order to obtain a location-aware audio content being relative to the current audio content dependent on the at least one location parameter," as recited in claim 1.

In contrast, Plunkett teaches a remote control 34 that controls sound output from stereo system 18 via an automatic test and set-up routine that evaluates parameters associated with listening location 10. (See Plunkett, col. 3, ll. 9-11). The invention of Plunkett evaluates the performance of each of a number of controllable parameters on each channel at the listening location. (See *Id.*, col. 3, ll. 12-14). Plunkett describes the adjustment of controllable parameters to optimize the quality of the sound perceived at listening location 10. (See *Id.*, col. 2, ln. 66 – col. 3, ln. 1). The reference describes that a key element in the automatic stereo setup capability of the Plunkett invention is a microphone 36 installed in remote control 34. (See *Id.*, col. 3, ll. 21-23). The microphone 36 picks up acoustic signals from loudspeakers 14L and 14R, and by analyzing the received sounds the remote control can adjust stereo system 18's output sound using a left speaker-right speaker sound comparison routine. (See *Id.*, col. 3, ll. 44-61). Thus, the sound as it is processed by remote control 34 in listening location 10 controls the output sound of speakers 14L, 14R of stereo system 18.

Applicant respectfully submits that Plunkett fails to teach or describe, “obtaining, in a processing unit (103), at least one location parameter representing the location of the audio-presenting device (101),” and “processing, in said processing unit (103), current audio content on the basis of the obtained at least one location parameter in order to obtain a location-aware audio content being relative to the current audio content dependent on the at least one location parameter,” as recited in claim 1. The Plunkett reference only describes the use of remote control 34 to adjust the sound of stereo system 18 based on the perceived sound at listening location 10. The location parameters of Plunkett represent the location of the listener operating remote control 34 and does not relate to the location of the stereo system 18 or its speakers 14L and 14R. The iterative sound adjustments taking place within remote control 34 are entirely dependent on the sound received at microphone 36. Thus, the only location parameters which are ever communicated to stereo system 18, are those pertaining to the sound received within the listening location 10 and no where else. Thus, the Plunkett reference fails to teach or describe each and every element of claim 1.

Therefore, Applicant respectfully submits that Plunkett neither teaches nor describes “obtaining, in a processing unit (103), at least one location parameter representing the location of the audio-presenting device (101),” and “processing, in said processing unit (103), current audio content on the basis of the obtained at least one location parameter in order to obtain a location-aware audio content being relative to the current audio content dependent on the at least one location parameter,” and thus, the rejection under 35 U.S.C. §102(b) must be withdrawn and claim 1 allowed. Because claims 2-5 depend from and therefore include all the limitations of, claim 1, these claims are also allowable.

Claim 6 contains substantially the same limitations as claim 1 and is also allowable for at least the same reasons cited above with respect to claim 1. Because claims 7 and 9-10, depend on and therefore include all the limitations of claim 6, these claims are also allowable.

IV. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claims 3, 8 and 11 under 35 U.S.C. § 103(a) as unpatentable over Plunkett in view of the Examiner’s official notice. (See 03/12/07 Office Action, p. 4).

The Examiner takes official notice that it is well known in the art to integrate an audio-presenting device and a processing unit into one whole unit is well known in the art. (See 03/12/07 Office Action, p. 5). Examiner therefore claims that it would have been obvious to integrate stereo system 18 with speakers 14L and 14R to provide a more compact entertainment sound system. (See Id.). Additionally, Examiner claims that storing in a computer-readable medium a program to control the processor to carry out the method steps of claim 1 would have been obvious for the purpose of portability and ease of maintenance. (See Id.).

Applicant respectfully submits that the Examiner’s official notice as it pertains to claims 3, 8 and 11 fails to cure the defects of Plunkett. The official notice that processors can be incorporated into the stereo system 18 of Plunkett or that stereo system 18 can include speakers 14L and 14R fails to teach or describe “obtaining, in a processing unit (103), at least one location parameter representing the location of the audio-presenting device (101),” and “processing, in

said processing unit (103), current audio content on the basis of the obtained at least one location parameter in order to obtain a location-aware audio content being relative to the current audio content dependent on the at least one location parameter,” as recited in claims 1 and 6.

Therefore, the Plunkett reference and the Examiner’s official notice, either alone or in combination, fail to teach or describe each and every element of claims 1 and 6. Because claims 3, 8 and 11 depend from and therefore include all the limitations of their respective, allowable independent claims, these claims are also allowable and the rejection under 35 U.S.C. § 103(a) must be withdrawn.

CONCLUSION

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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